

REDUCING A RESERVATION.

Some History Connected with the Efforts of Miners to Procure the Reduction of White Mountain Indian Reservation to the end that the Territory might Receive the Aid of Capital and Thereby Become Prosperous--All of Which the Officers of the Interior Department at Washington will be Glad to Read, and will Probably Excite Ecstatic Emotions in the Virtuous Hearts of Indian Agent James E. Roberts and Attorney L. C. Hughes.

Following are several letters which our local readers will not need to be urged to peruse and remember, especially the two from the honorable and conscientious L. C. Hughes to Charles Lesinsky. They are refreshing in this sultry weather. They induced Mr. Lesinsky to make an open air and round trip of 600 miles at considerable cost, but not to pay \$5,000 nor any less sum to the powerful clients of the good Hughes, who says in his first letter—"I am fully authorized to close this negotiation;" and in his second one that "the whole matter will be conducted in good faith on our part." This is just what might have been expected from pure and "enterprising" men like Mr. Hughes and his clients, and will enable miners and others engaged in large works to develop Arizona, to understand just who will conduct such business in "good faith." It is so comforting to have that kind of business conducted in "good faith." To the more thoroughly convince our readers that the excellent Hughes would conduct "the whole matter in good faith," it may be stated that we were assured by Mr. Lesinsky that barrister Hughes desired the strictest secrecy but proposed to hold their interview in presence of that paragon of ex-judicial grandeur and transcendental patriotism, that fountain of pure and unadulterated law, ex-chief Justice John Titus, who, according to Hughes' statement to Mr. Lesinsky, was familiar with "the whole matter."

But we do not care to longer defer the happiness of our readers by prefatory remarks, hence at once usher in the letters:

TERRITORY OF ARIZONA,
EXECUTIVE DEPARTMENT,
TUCSON, July 13, 1874.

E. M. PEARCE, Esq., Tucson, Arizona, Sir: I am in receipt of your favor of this date, asking me to communicate to you any information I may have relative to the necessity of that portion of the Territory in the vicinity of the Copper mountain mine, otherwise known as the Clifton mine, for the use of the Indians on the White Mountain reservation; and also asking me to give the substance of a conversation I had with Agent J. E. Roberts upon that subject. In reply to your first inquiry, I have to say that I went to Camp Apache about two years ago for the purpose of obtaining an Indian guide to explore the Clifton country. After diligent inquiry for the space of two days, I found an Indian on the reservation, and this the only one, who had ever visited the section in which these mines are situated, and he had not been there since he was a small boy. The country between Camp Apache and Clifton is rough and broken, with little or no agricultural facilities and is only calculated for wild, hostile Apaches. The Indians on the White Mountain reservation never have and never will use it.

Relative to your second inquiry I have to say: That Agent Roberts came to Tucson on the 7th of June last. On meeting him, he informed me that he had come to Tucson on very important business and that it was chiefly with me. I told him that I should be glad to see him at any time and was always ready to transact business. He then said, in rather an undertone, that the whole business of keeping in or excluding the Clifton mines had been turned over to him, and that as he reported so it would go. I replied that I was very glad to hear this as it was a matter of much importance to the best interests of the Territory that these mines should be worked, and that he knew as well as I did that the Indians had never occupied and never would occupy or inhabit that section of the Territory. I then told him that Mr. Harris, Chief Clerk in the Surveyor General's office, would give him all the information he desired relative to the location and vicinity of said mines.

I believe that Mr. Roberts did not speak to me again upon the subject, but Mr. Harris afterwards informed me that Agent Roberts made a hurried call at the Surveyor General's office, and seemed to take but little interest in obtaining information concerning matters which he himself had spoken of as very important business; that he merely glanced at the general map of the Territory, and, on Mr. Harris offering to show him the field notes of the survey of said mines, in order to give him fuller information, he said it was unnecessary and hurried away.

A few days after Agent Roberts left for Camp Apache, Thomas Ewing came from there, and asked me why I had written to Agent Roberts to come to Tucson on important business. I told Mr. Ewing that I did not remember of ever having written to Mr. Roberts in my life. Mr. Ewing then said that Maj. Randall, the commander at Camp Apache, told him that Agent Roberts told him that I had written him to come to Tucson on important business,

and that he was going to Tucson in compliance with said request.

Very truly yours,
A. P. K. SAFFORD, Governor.

TUCSON, ARIZONA, June 13, 1874.

JOHN WASSON, U. S. Surveyor General, Tucson, Arizona: I desire to make the following statement: Some time in the beginning of June, L. C. Hughes, attorney at law, invited me to call at his office. He began by asking me if I was not the owner of some mines at Clifton, and I answered, yes. He further inquired if they were not of great value and desired me to state what I considered them worth. I could not inform him exactly. He said there was trouble on foot, that these mines were upon the White Mountain Indian reservation, but thought the matter might be satisfactorily arranged for a reasonable consideration. I desired to know whom he represented. He replied that he was not at liberty to inform me, but for two different parties he was retained.

I told him that the whole business was new to me and that it would please me better to deal with principals than through agents. Hughes would not say who he was authorized to act for. He said that Indian Agent Roberts had been here and wished I could have seen him.

I came to the conclusion that the intention was to make me pay money or else a report would be made that would prevent me from getting my patents. I absolutely refused to do anything in the premises and made some very angry remarks about thieves and Indian agents, not to be misunderstood.

My application for patent to four mines and one mill-site in Clifton copper mines, Yavapai county, Arizona, was made three months and three days before the extension of the White Mountain Indian reservation, and a proper statement to the Department is that the Indian reservation infringes upon my rights.

As soon as I was notified that I was considered as having located on an Indian reservation, I forwarded a petition for the reduction of the reservation with letters to Agent Roberts, stating the facts, and to the General Land office. I have never heard of those papers.

I do know that I have been constantly at work for nearly two years endeavoring to get the title to my mines, having complied with all the requirements of the law, and I am naturally indignant that obstacles should be placed in my way by parties who have never begun or carried out any enterprises for the public good; who develop nothing of our Territory's resources, yet hinder and delay those who are struggling against very many difficulties, unless they are paid for services that are questionable.

It is a matter of great importance to the miners of Arizona to know how long a petty official who has never visited the mines, with the aid of a confederate, can hinder the issuing of a patent, and what scale of prices has been agreed upon in order to settle all opposition.

Very respectfully your obdt servt,
E. M. PEARCE.

TUCSON, ARIZONA, July 13, 1874.

JOHN WASSON, U. S. Surveyor General, Tucson, Arizona: Being a member of the firm owning and working the copper mines at Clifton, Arizona, located on the White Mountain reservation, I beg leave respectfully to submit the following statement of facts: We located and were working these mines three months before it was declared an Indian reservation, and have been constantly working ever since, having expended \$30,000 upon them.

As soon as it came to our knowledge that the White Mountain Indian reservation embraced these mines, we petitioned the proper authorities at Washington, D. C., for a reduction of the reservation, so as to exclude the mines.

About the 15th of June last, I received a communication from L. C. Hughes, a lawyer residing at Tucson, Arizona, of date June 9, 1874, which is herewith inclosed. I answered him and asked who authorized him to act in the matter of a reduction of the reservation, and desired to be informed who had been to expense and trouble and incurred responsibility; also, that we were willing to do what was right, and if any expense had been incurred, we were willing to refund the amount.

In answer to these inquiries, I received the communication from the said party, L. C. Hughes, which is also inclosed, dated June 23, 1874.

Failing to get any definite information, I deemed it best to have a personal interview with the said Hughes, and came to Tucson, July 12, 1874.

In a conversation with him, he, Hughes, stated that he was employed as attorney by three parties in Washington who were vested with authority to reduce the reservation or, to use his own words, "segregate the mine;" and that the parties demanded \$5,000 for the job.

I pressed him to name these parties but he refused to name them.

I desired to know particularly who "had been to trouble and expense in this affair." He answered that Agent Roberts had incurred them in coming to Tucson from the reservation.

Believing that it was a scheme upon the part of Hughes and Roberts to extort money, I refused to comply with the demand.

Hughes further said, at our interview, that I was at liberty to act my own pleasure in the matter, but gave me clearly to understand that Agent Roberts could at any moment drive us away from the reservation.

I believe the authorities are willing to make the reduction upon a true and correct representation of the facts, and that they have been awaiting Agent Roberts' report which has been withheld, for what purpose the public can judge from the foregoing statement and accompanying letters.

It is exceedingly doubtful now whether the Clifton copper mines are upon the White Mountain reservation or not; if they are, they are upon the further edge, where the Indians never come and where they could find nothing to live upon. Further, the mines were located and worked three months before the limits of that reservation were extended so as to embrace them.

Very respectfully your obdt servt,
CHARLES LESINSKY.

TUCSON, ARIZONA, June 9, 1874.

CHARLES LESINSKY, My Dear Sir: I am about to write you on a matter of business which I know interests you.

Your mine in Arizona is on the White Mountain Indian reservation. Your peti-

tion to the proper authorities in Washington to have the same stricken off, has already involved considerable trouble, responsibility and expense which ought to be repaid so far as the same can be. I am employed as counsel by the party authorized to segregate your mine. Please therefore inform me, by return mail, how much you are willing to pay for the consummation of the object referred to. I am fully authorized to close this negotiation.

Your obedient,
L. C. HUGHES.

(Private.)

TUCSON, ARIZONA, June 23, 1874.

CHAS. LESINSKY, Esq., Las Cruces, N. M.: Replying to yours of the 15th inst., I have to say: That I use the language of my clients when I say that they have been to considerable trouble and expense and will probably be subjected to more, and that to have the reservation reduced would involve considerable responsibility and that they are authorized to segregate the mine.

I am not at liberty to state who the parties are, or what the expense is or has arisen from, or who paid it. You say you are willing to do what is right. That is all that is expected. Now, please state what is the best you can do. I write as I am directed. The whole matter will be conducted in good faith on our part.

Yours truly,
L. C. HUGHES.

U. S. SURVEYOR GENERAL'S OFFICE,

TUCSON, ARIZONA, July 14, 1874.

HON. E. P. SMITH, Commissioner of Indian Affairs, Washington, D. C., Sir: I beg leave to ask at your hands a careful consideration of the inclosed letters having reference to the reduction of the White Mountain Indian reservation so as to exclude from its limits the copper and other mines at Clifton, Arizona, and also to take such action as the facts will warrant you in taking. It is with much regret that I feel obliged, in the line of my official duty to promote the public welfare, to present you with these letters and my statements; but addressed to me as the letters are, and having an undoubted belief that the interests of the Territory are liable to be injured without any possible benefit to the Indians now or likely ever to be on the White Mountain reservation, I can see but this one course consistent with right.

First let me ask you to consider all the letters with reference to the merits of the application for reduction, and next to consider at least the prima facie evidence presented, that individuals who have done much to place our Territory on a prosperous peace basis are threatened with great injury to their legitimate enterprises or be subjected to an unjust payment of a large sum of money to secure what they ought to have, and government is entirely willing they should have, without other than lawful and comparatively inexpensive proceedings. Omitting much that might be said in elaboration of this case, I would refer to the significance of these facts: I have reliable information that on the day following the receipt by him of your instructions of April 26, 1874, Agent James E. Roberts started for Tucson; that he stated his object was to respond to a written request by Gov. Safford to come here; that after he arrived here and seeing the Governor and holding the conversation detailed in the Governor's letter herewith, he left him and did not confer with him on the subject again, but made his association and home with L. C. Hughes while in Tucson; that two days thereafter—on the 8th of June—said Hughes wrote Chas. Lesinsky, wanting to know "how much you (Lesinsky), are willing to pay for the consummation of the object referred to," and that "I (Hughes) am fully authorized to close this negotiation," and this too, just after Agent Roberts truthfully told the Governor that the whole matter was left to him to decide; also that when pressed to advise Mr. Lesinsky who had been to expense, the said Hughes wrote that he was "not at liberty to state who the parties are, what the expense is or has arisen from, or who has paid it;" and again asks Mr. Lesinsky "what is the best you can do?" etc. These facts taken in connection with Hughes' interview with Mr. E. M. Pearce, as truly set forth in Mr. P.'s letter herewith, are startling and can lead in my opinion to but these conclusions: That money was to be extorted for doing an official act; that the favorable indorsement for the reduction of the reservation did not depend upon the interest of the Indians but upon the payment of a large sum of money by men acting in good faith in developing the country for the common good as well as their own.

Passing over much that is suggested to me, I say this: Mr. Lesinsky informs me that in his personal interview with said Hughes this week, Hughes stated in substance: "Well, you know that all 'United States business is conducted upon the basis of buy and sell;' and further on, when Mr. Lesinsky became aggravated by such treatment, the said Hughes remarked in effect—"Well I don't blame you for feeling as you do at an effort to extort money from you, but that it would not be safe to oppose Agent Roberts, for he, Roberts, had large influence, (naming in Ohio, particularly,) and could give much trouble and at any time compel his company to leave the reservation."

Mr. Charles Lesinsky resided in Tucson over two years, and every honest man who knows him will unequivocally testify to his uprightness and truthful character. He now resides at Las Cruces, New Mexico, in connection with the firm of H. Lesinsky & Co., who for the past few years have been building roads, cutting ditches, opening mines and building furnaces at said mines on the White Mountain reservation, and have shipped much ore to Baltimore, Md., for test; and as he says, have expended \$40,000 thereon. Hon. R. C. McCormick knows him and his firm well, and will indorse what I say of them.

After over ten years of connection with United States business, I am compelled to resent as an infamous and inexcusable slander the assertion that it is conducted on a "basis of buy and sell," or that any influence, however large, will a great while bolster up an outrage against law and clear rights. Every man who is well enough acquainted with the facts to give an opinion of worth, will promptly and cheerfully certify that that reservation ought to be reduced as petitioners for, and that too without the slightest damage or inconvenience to the Apaches on it. Hundreds can do so intelligently. Maj. Geo. M. Randall, 23d Infantry, commanding

Camp Apache for about two years, will do so and probably has ere this.

Agent Roberts was in Tucson early in January last, and in conversation with me upon the subject, admitted that so far as he ever heard, the reduction could be very properly made and ought to be.

Having been officially connected with the surveys of Mr. Pearce's claims and consulted with from time to time as to when I could order surveys of mines in the locality named, these gentlemen address their letters to me, and verbally, over and over again, have expressed the belief that I was in position to aid in the consummation of a just measure, which said Hughes and his "clients"—("party" in the first letter and "my clients" in the second to Mr. Lesinsky), want to procure money for doing. I know that the reduction asked, or any such like service, is attended with little if any expense, and surely if with much expense, it should not be borne by enterprising men only seeking their legal rights in a legal way.

All the documents herewith are for public use, and after the higher authorities shall have time to act upon them, they will be given the fullest publicity here in the press. Duplicates of all have this day been mailed to Hon. R. C. McCormick.

Very respectfully your obdt servt,
JOHN WASSON, Surveyor General.

The reader will bear in mind that the following telegram is dated July 1 and was not sent until July 17. All agents are instructed to not use the telegraph except in cases of emergency, and had Roberts committed his dispatch to the regular military mail or express from Camp Apache to Apache Pass at the time of its date, it would have been in Washington about the day it was telegraphed from Tucson. The envelope containing the dispatch was post-marked Tucson, July 16. We'll let the reader make the obvious application of these circumstances with reference to the natural timidity of Roberts when he suspends opposition to himself:

(Telegraphed from Tucson July 17, 1874.)

CAMP APACHE, A. T. July 1, 1874.

HON. E. P. SMITH, Commissioner of Indian Affairs, Washington, D. C. Sir: The line referred to is seventy-five miles east of Agency. There is sufficient land remaining after reduction. No objections to proposed change. I would respectfully recommend that the reduction asked for be granted.

Very respectfully your obedient servant,
JAMES E. ROBERTS,
U. S. Indian Agent.

U. S. SURVEYOR GENERAL'S OFFICE,
TUCSON, ARIZONA, July 18, 1874.

HON. E. P. SMITH, Commissioner of Indian Affairs, Washington, D. C. Sir: Referring to my letter to you of date 14th instant, I have this to say now in view of Agent James E. Roberts' telegraphic recommendation for the reduction of the White Mountain Indian Reservation in accordance with right. The fact of his recommendation by telegraph appears as if he feared criticism of his course with reference to it, and took that means to advise you of his views in advance of your receipt of documents such as I transmitted, and therefore does not change the purpose of those interested in the development of Arizona, to give the said documents full publicity. There is inexcusable guilt somewhere, and if Agent Roberts can show clean hands and record in the matter, I'll be as ready as in the past to sustain him. We have ordinary obstacles enough to contend with—hence all such attempts to extort money must be met vigorously and with as severe punishment as can legally be administered. Inasmuch as the telegram of recommendation has gone on, I shall not wait for advice of your action on the letters I sent you, but give all of them to the public on the 25th inst., and copies of THE CITIZEN containing them will be sent you and others in high authority.

Very respectfully your obdt servt,
JOHN WASSON, Surveyor General.

In reference to all the foregoing, we would add: Notwithstanding the precious characters of lawyer Hughes and Agent James E. Roberts, it will not be surprising if each denies any authorized association with the other in "the consummation of the object referred to"—in the language of the former's letter just after the latter's arrival from Camp Apache. It will also be borne in mind that Roberts told Gov. Safford he had come to Tucson on "very important business," and that said business was "chiefly" with him—the Governor; and further in that connection, that "the whole business of keeping or excluding the Clifton mines" had been "turned over to him," and that as he (Roberts) reported, so it would go. After the Governor expressed his ready and emphatic opinion that the reservation ought to be reduced, Roberts did not confer further with him on the business which at first seemed to be "chiefly" with none other. It will be also seen that immediately after Roberts told the Governor "the whole business" had been "turned over" to himself and while a guest of and in constant association with lawyer Hughes, the business got "turned over" to said lawyer, and said lawyer hastened to write Mr. Lesinsky that he (Hughes) was "fully authorized to close this negotiation;" and, in the amiable, pure and vigorous spirit of a thrifty attorney, requested Mr. Lesinsky to name the sum he was "willing to pay for the consumma-

"tion of the object referred to"—which had so recently been wholly in the power of Agent Roberts to adjust. The guileless Hughes did not mark his first letter private, but the tone of the reply to it probably induced him to so mark the second one, and also to request that Mr. Lesinsky keep their personal interview strictly private.

If L. C. Hughes has not the full power claimed in his letters to Mr. Lesinsky, it is apparently the fault of Agent Roberts, who seems to have—if actions and date of telegram really correspond—reinvested himself with said power on July 1, without advising the dear Hughes who, on July 12, talked to Mr. Lesinsky as if he then could get the object consummated for less than the \$5,000 originally demanded by his clients. The settlement of these apparent discrepancies as to where the power really is vested, is a matter more especially interesting to the lovely Hughes and saintly Roberts. The principal point of interest to the miners of Arizona, is to know just where such power does lie; and inasmuch as the candid and enterprising Hughes has assured Mr. Lesinsky that it will be exercised in "good faith on our part," it would seem to be as unobjectionable in his hands as anywhere!

The subject is not exhausted.

EX-CHIEF JUSTICE JOHN TITUS is a law partner of L. C. Hughes, judged by the way certain documents are signed.

It is precisely the proudest and most obstinate men who are the most liable to shift their position and contradict themselves; everything is easier to them than to face the simple fact that they have been thoroughly defeated, and must begin life anew.—[George Elliot.]

The mills of the gods grind slow but they grind exceeding fine.

J. C. HANDY, M. D.,
TUCSON, - - - - - ARIZONA.
CORNER OF CHURCH AND CONVENT.

R. A. WILBUR, M. D.,
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